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# **Notice of Allowability**

**Application No.**

10/822,690

**Examiner**

Philip H. Leung

**Applicant(s)**

HECHLER, VALENTINE

**Art Unit**

3742

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 7-14-2005 and 9-16-2005.
2. ☒ The allowed claim(s) is/are 1-30 and 35-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Guay on 9-15-2005.

The Claims have been amended as follows:

1. (Currently amended) A microwavable cooking apparatus for cooking bacon and the like, comprising:

a container, said container having at least one container sidewall, an inner and outer surface, an open end, and a laterally projecting rim at the open end defining a rim undersurface;

a lid; and

a cooking rack, wherein said cooking rack comprises:

mechanism for removeably suspended suspending said cooking rack from said lid[[,]]; and

~~said cooking rack comprising~~ a plurality of radially extending vanes ~~said cooking rack being~~ said cooking rack dimensioned to fit within said container.

2. (Previously presented) The microwavable apparatus of claim 1, wherein said lid includes a bore defined by a bore wall.

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3. (Previously presented) The microwavable apparatus of claim 2, wherein a plurality of tabs extend laterally from said bore wall into said bore.

4. (Original) The microwavable cooking apparatus of claim 1, wherein a portion of the top wall of said lid is substantially dome-shaped.

5. (Original) The microwavable cooking apparatus of claim 1, wherein a handle is connected to said lid.

6. (Original) The microwavable apparatus of claim 5, wherein a first portion of said handle projects laterally from said lid and a second portion of the handle projects downward from the distal end of said first portion of said handle.

7. (Previously presented) The microwavable apparatus of claim 1, wherein a plurality of container locks are mounted on said lid for movement between a locked position and an unlocked position.

8. (Previously presented) The microwavable cooking apparatus of claim 7, wherein said container locks each include a cam section which engages said rim undersurface and forces said the inner surface of said container against the lid when the container locks are in the locked position.

9. (Previously presented) The microwavable cooking apparatus of claim 7, wherein said lid comprises a lock mount for each container lock, a cam opening formed in said lock mount, each said container lock being mounted for pivotal movement on said lock mount and including a cam section which extends through the cam opening in said lock mount outer wall, said cam section operating to engage the undersurfaces of said rim against said body in the locked position of the container lock.

10. (Original) The microwavable cooking apparatus of claim 7, wherein each said container lock includes an operating lever connected to pivot said container lock between the locked and unlocked positions.

11. (Previously presented) The microwavable cooking apparatus of claim 10, wherein said operating lever includes a clasp dimensioned to securely engage the outer sidewall of said lid, when said container lock is in the locked position.

12. (Original) The microwavable cooking apparatus of claim 1, wherein the plurality of radially extending vanes are spaced substantially equidistant from one another.

13. (Currently amended) The microwavable cooking apparatus of claim 2, wherein said mechanism includes a stem dimensioned to fit ~~cooking rack is removeably suspended by a stem~~ within said bore.

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14. (Currently amended) The microwavable cooking apparatus of claim 3, wherein said ~~mechanism cooking rack~~ includes a stem positioned within said bore, said stem comprising a plurality of radially extending vanes, and wherein said cooking rack is suspended to said lid by the plurality of radially extending vanes of said stem being engaged with said tabs.

15. (Currently amended) A microwavable cooking apparatus for cooking bacon and the like, comprising:

an outer container, said outer container having at least one container sidewall, an inner and outer surface, and an open end ~~and a laterally projecting rim at the container open end~~ defining a rim undersurface;

an inner container, said inner container having at least one container sidewall, an inner and outer surface, and an open end and a laterally projecting rim at the container open end defining a rim undersurface, wherein at least a portion of said inner container is dimensioned to fit within said outer container;

a lid; and

a cooking rack, wherein said cooking rack comprises:

mechanism for removeably suspended suspending said cooking rack from said lid[[,]]; and

~~said cooking rack being comprised of~~ a plurality of radially extending vanes and dimensioned to fit within said inner container.

16. (Original) The microwavable cooking apparatus of claim 15, wherein said outer container covers a predefined portion of said inner container, and wherein a microwave reflecting surface is positioned between said outer container and said inner container.

17. (Original) The microwavable cooking apparatus of claim 16, wherein a vacuum seal is formed between said outer container and said inner container.

18. (Previously presented) The microwavable apparatus of claim 15, wherein said lid includes a bore defined by a bore wall.

19. (Previously presented) The microwavable apparatus of claim 18, a plurality of tabs extend laterally from said bore wall into said bore.

20. (Previously presented) The microwavable cooking apparatus of claim 15, wherein at least a portion of the top surface of said lid is substantially dome-shaped.

21. (Previously presented) The microwavable cooking apparatus of claim 15, wherein a handle is connected to said lid.

22. (Original) The microwavable apparatus of claim 21, wherein a first portion of said handle projects laterally from said lid and a second portion of the handle projects downward from the distal end of said first portion of said handle.

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23. (Previously presented) The microwavable apparatus of claim 15, wherein a plurality of container locks are mounted on said lid for movement between a locked position and an unlocked position.

24. (Previously presented) The microwavable cooking apparatus of claim 15, wherein said container locks each include a cam section which engages said rim undersurface and forces said the inner surface of said container against the lid when the container locks are in the locked position.

25. (Previously presented) The microwavable cooking apparatus of claim 15, wherein said lid comprises a lock mount for each container lock, a cam opening formed in said lock mount, each said container lock being mounted for pivotal movement on said lock mount and including a cam section which extends through the cam opening in said lock mount, said cam section operating to engage the undersurfaces of said rim against said body in the locked position of the container lock.

26. (Original) The microwavable cooking apparatus of claim 23, wherein each said container lock includes an operating lever connected to pivot said container lock between the locked and unlocked positions.

27. (Previously presented) The microwavable cooking apparatus of claim 26, wherein said operating lever includes a clasp dimensioned to securely engage the outer sidewall of said lid when said container lock is in the locked position.

28. (Original) The microwavable cooking apparatus of claim 15, wherein the plurality of radially extending vanes are spaced substantially equidistant from one another.

29. (Currently amended) The microwavable cooking apparatus of claim 18, wherein said ~~cooking rack~~ mechanism includes removably suspended by a stem positioned to fit within said bore.

30. (Currently amended) The microwavable cooking apparatus of claim 19, wherein said mechanism ~~cooking rack~~ includes a stem positioned within said bore, said stem comprising a plurality of radially extending vanes, and wherein said cooking rack is suspended to said lid by a the plurality of radially extending vanes of said stem being engaged with said tabs.

31. (Canceled)

32. (Canceled)

33. (Canceled)

34. (Canceled)



35. (Original) The microwavable apparatus of claim 1, wherein two container locks are mounted on said lid for movement between a locked position and an unlocked position, said container locks being positioned such that in the locked position the container sidewall has an elliptical distortion.

36. (Original) The microwavable apparatus of claim 15, wherein two container locks are mounted on said lid for movement between a locked position and an unlocked position, said container locks being positioned such that in the locked position the container sidewall has an elliptical distortion.

37. (Original) The microwavable apparatus of claim 7, wherein at least one laterally projecting arm is coupled to at least one of said plurality of container locks, and wherein said at least one laterally projecting arm engages at least one of the container sidewall and the container rim when the lock is in the locked position.

38. (Original) The microwavable apparatus of claim 23, wherein at least one laterally projecting arm is coupled to at least one of said plurality of container locks, and wherein said at least one laterally projecting arm engages at least one of the container sidewall and the container rim when the lock is in the locked position.

39. (Original) The microwavable apparatus of claim 1, wherein at least one of the inner surface and the outer surface of said container is at least partially covered with microwave reflecting surface.

40. (Original) The microwavable apparatus of claim 15, wherein at least one of the inner surface of said inner container, the outer surface of said inner container, the inner surface of said outer container, and the outer surface of said outer container is at least partially covered with microwave reflecting surface.

41. (Original) The microwavable apparatus of claim 39, wherein said microwave reflecting surface is aluminum foil.

42. (Original) The microwavable apparatus of claim 40, wherein said microwave reflecting surface is aluminum foil.

43. (Previously presented) The microwaveable apparatus of claim 9, wherein one end of said container lock is enlarged to deter involuntary removal of container lock from said lock mount, and wherein said enlarged end of container lock has a split end, said split end being compressible to facilitate voluntary removal of said container lock from said lock mount.

44. (Previously presented) The microwaveable apparatus of claim 25, wherein one end of said container lock is enlarged to deter involuntary removal of container lock from said lock

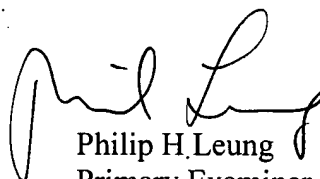
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mount, and wherein said enlarged end of container lock has a split end, said split end being compressible to facilitate voluntary removal of said container lock from said lock mount.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip H. Leung whose telephone number is (571) 272-4782. The examiner can normally be reached on Flexible.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571)-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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9-16-2005